SPENCER HOSIE (CA Bar No. 101777)
shosie@hosielaw.com
DIANE S. RICE (CA Bar No. 118303)
drice@hosielaw.com
GEORGE F. BISHOP (CA Bar No. 89205)
gbishop@hosielaw.com
DARRELL R. ATKINSON (CA Bar No. 280564)
datkinson@hosielaw.com
HOSIE RICE LLP
Transamerica Pyramid, 34th Floor
600 Montgomery Street
San Francisco, CA 941111
(415) 247-6000 Tel.
(415) 247-6001 Fax

Attorneys for Plaintiff
MASTEROBJECTS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MASTEROBJECTS, INC., Plaintiff, v. EBAY INC., Defendant.	Case No. CV 12-680 JSC **STIPULATED DISMISSAL PURSUANT TO FED. R. CIV. P. 41(a)(2) AND [~~PROPOSED~~] ORDER**

Plaintiff MasterObjects, Inc. ("MasterObjects") and defendant eBay Inc. ("eBay"), pursuant to Fed. R. Civ. P. 41(a)(2), hereby stipulate through their respective counsel of record as follows:

WHEREAS, on November 10, 2014, the United States Court of Appeal for the Federal Circuit affirmed the claim construction and consent judgment of non-infringement in *MasterObjects, Inc. Google Inc.*, 11-cv-01054 (PJH) ("*Google*"); and

WHEREAS, in light of this affirmance, MasterObjects and eBay agree: to a stipulated judgment of dismissal of MasterObjects' complaint in this action No. 12-cv-680 JSC with prejudice; that this judgment of dismissal will not be res judicata as to any action on the MasterObjects' U.S. Patent No. 8,539,024; that eBay's counterclaims herein will be dismissed without prejudice; and each party will bear its own costs and attorneys' fees;

WHEREFORE IT IS HEREBY STIPULATED BY THE PARTIES HERETO:

(1) MasterObjects' claims for infringement, see Complaint filed February 10, 2012, are dismissed WITH PREJUDICE;

(2) eBay's counterclaims are dismissed WITHOUT PREJUDICE; and

(3) Each party shall bear its own costs and attorneys' fees.

DATED: February 3, 2015

Respectfully submitted,

HOSIE RICE LLP

By: /s/ *Spencer Hosie*
Spencer Hosie
Attorneys for Plaintiff
MasterObjects, Inc.

BRACEWELL & GIULIANI LLP

By: /s/ *John H. Barr, Jr.*
John H. Barr, Jr.
Attorneys for Defendant

eBay, Inc.

ATTESTATION

I hereby attest pursuant to Civil Local Rule 5-1(i)(3) that concurrence in the electronic filing of this document has been obtained from the other signatories.

Dated: February 3, 2015

By: */s/ George F. Bishop*
George F. Bishop

~~[PROPOSED]~~ ORDER

IT IS SO ORDERED.

DATED this 4th day of February, 2015.

Jacqueline S. Corley

HONORABLE JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE